

MAR 21 2006

**FROMMER LAWRENCE & HAUG LLP**

745 Fifth Avenue  
New York, New York 10151  
Telephone: (212) 588-0800  
Facsimile: (212) 588-0500  
E-mail: Firm@flhlaw.com

**FACSIMILE COVER LETTER**

**To:** Commissioner for Patents  
Examiner Fletcher

**Firm:** U.S. Patent and Trademark Office  
Art Unit 2661

**Facsimile:** (571) 273-8300 and (571) 273-7377

**From:** Thomas F. Presson

**Date:** March 21, 2006

**Re:** FLH Ref No.: 450100-03175.4  
Serial No: ~~11/082,009~~ 0084/420

**Number of Pages:** 6  
(including cover page)

---

If you do not receive all pages or are unable to read the transmission, please call (212) 588-0800.

---

**CONFIDENTIALITY NOTICE**

The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this facsimile is strictly prohibited.

00286965

PATENT  
450100-03175.4**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Takuji HIMENO et al.  
Continuation of  
Serial No. : 09/841,420  
For : RECORDING APPARATUS AND METHOD, PLAYBACK  
APPARATUS AND METHOD, AND RECORDING MEDIUM  
THEREFOR  
Filed : Together Herewith

745 Fifth Avenue  
New York, New York 10151  
Tel. (212) 588-0800

**EXPRESS MAIL**Mailing Label Number: **EV345010757US**Date of Deposit: **March 17, 2005**

I hereby certify that this paper or fee is being deposited with the  
United States Postal Service "Express Mail Post Office to  
Addressee" Service under 37 CFR 1.10 on the date indicated above  
and is addressed to: Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

  
(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION (37 C.F.R. 1.321(b) and STATEMENT UNDER  
37CFR 3.73(b)**

Dear Sir:

The below-named attorney of record, authorized to act on the behalf of the  
assignee of record, hereby disclaims the terminal part of the entire patent granted on the above-  
identified application which would extend beyond the expiration date of the full statutory term of

00264087

PATENT  
450100-03175.4

the patent that issues from United States Application 09/841,420, the parent of the instant application (the "Patent"), and hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the Patent. This agreement is to run with any patent granted on the present application and to be binding upon the grantee, its successors or assigns. The undersigned further states that 100% of the title to the present application is in Sony Corporation, a Japanese corporation, by virtue of an assignment from the inventors. The assignment was recorded on August 6, 2001 at reel 012047, frame 0852 of the parent.

The evidentiary documents accompanying or referred to in this Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee seeking to take action.

The below-named attorney of record does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the Patent, in the event that: the Patent later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a); or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

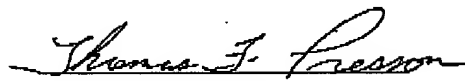
00264087

PATENT  
450100-03175.4

Please charge any insufficient fees or credit any overpayment associated with this  
Terminal Disclaimer to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800

00264087

RECEIVED  
CENTRAL FAX CENTER

MAR 21 2006

PATENT  
450100-03175.4IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Takuji HIMENO et al.

Continuation of  
Serial No. : 09/841,420

For : RECORDING APPARATUS AND METHOD,  
PLAYBACK APPARATUS AND METHOD, AND  
RECORDING MEDIUM THEREFOR

Filed : Together Herewith

745 Fifth Avenue  
New York, New York 10151  
Tel. (212) 588-0800

EXPRESS MAILMailing Label Number: EY345010757USDate of Deposit: March 17, 2005

I hereby certify that this paper or fee is being deposited with the  
United States Postal Service "Express Mail Post Office to  
Addressee" Service under 37 CFR 1.10 on the date indicated above  
and is addressed to: Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450.

Barnet Shindelman  
(Typed or printed name of person mailing paper or fee)

Barnet Shindelman  
(Signature of person mailing paper or fee)

STATEMENT UNDER 37 CFR 3.73 (b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned attorney of record, empowered to sign this Statement on  
behalf of the assignee, states that Sony Corporation, a Japanese Corporation, is the  
assignee of the entire right, title and interest in the patent application identified above by  
virtue of an assignment from the inventors of parent application serial number

PATENT  
450100-03175.4

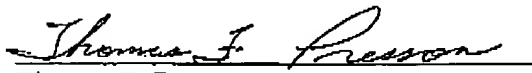
09/841,420, of which the above-identified application is a continuation. The assignment was recorded in the Patent and Trademark Office on August 6, 2001 at Reel 012047, Frame 0852 of parent application 09/841,420.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800